

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SERGIO SANCHEZ,

CASE NO. C19-0469JLR

Plaintiff.

ORDER

V.

EVERGRANDE REAL ESTATE
GROUP CO., LTD., et al.,

Defendants.

Before the court is Plaintiff Sergio Sanchez’s response to the court’s July 9, 2019, order to show cause. (Resp. (Dkt. # 8); Order (Dkt. # 7).) The court ordered Mr. Sanchez to show cause why this action should not be dismissed for failure to comply with Federal Rule of Civil Procedure 4(m) by not serving Defendant Evergrande Real Estate Group Co., Ltd. (“Evergrande”) within 90 days after filing his complaint. (Order at 1-2);

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1 *see also* Fed. R. Civ. P. 4(m).¹ In his response, Mr. Sanchez explains that Evergrande is
2 a foreign corporation based in Beijing, China, for which service under Rule 4(m) does not
3 apply. (Resp. at 1); Fed. R. Civ. P. 4(m) (“This subdivision (m) does not apply to service
4 in a foreign country”) Mr. Sanchez further explains the efforts he has made to seek
5 a waiver of service from Evergrande and comply with the federal rules for service.
6 (Resp. at 1-2.) Mr. Sanchez represents that he is still attempting to achieve a waiver of
7 service from Evergrande. (*Id.*) If Evergrande does not waive service, however, Mr.
8 Sanchez states that he will serve Evergrande pursuant to the Hague Convention on the
9 Service Abroad of Judicial and Extrajudicial Documents. (*Id.* at 2); *see also* Fed. R. Civ.
10 P. 4(f)(1), 4(h)(2) (explaining that a foreign corporation may be served “by any
11 internationally agreed means of service that is reasonably calculated to give notice, such
12 as those authorized by the Hague Convention on the Service Abroad of Judicial and
13 Extrajudicial Documents”). Mr. Sanchez further explains that the process for serving a
14 Chinese corporation may take up to one year. (Resp. at 2.) Therefore, Mr. Sanchez
15 requests that the court discharge the order to show cause and allow him to file a status
16 report every 60 days advising on the progress of service.

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22 ¹ Nominal Defendant Central American Domain Authority Ltd. filed a waiver of service.
(Waiver (Dkt. # 9).)

1 The court determines that Mr. Sanchez's request is proper. Therefore, the court
2 DISCHARGES the order to show cause (Dkt. # 7) and ORDERS Mr. Sanchez to file a
3 status report with the court every 60 days advising on the progress of service.

4 Dated this 10th day of July, 2019.

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7 JAMES L. ROBART
8 United States District Judge
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